

## **REMARKS**

The Applicants thank the Examiner for the courtesy of a personal interview on June 22, 2004.

The following remarks are fully and completely responsive to the Office Action dated February 11, 2004. Claims 5 and 7-9 are pending in this application. In the outstanding Office Action claims 5 and 7 were rejected under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph and claims 5 and 7-9 were rejected under 35 U.S.C. § 103(a). No new matter is added. Claims 5 and 7-9 are presented for reconsideration.

### **35 U.S.C. § 112, 2<sup>nd</sup> Paragraph**

Claims 5 and 7 were rejected under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph. Applicants amendments to claims 5 and 7 provide proper antecedent basis for each claim element. Accordingly, Applicants request reconsideration and withdrawal of the rejection of claims 5 and 7 under 35 U.S.C. §112, 2<sup>nd</sup> paragraph.

### **35 U.S.C. § 103(a)**

Claims 5, and 7-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Takaya (JP 2,956,587) and Cupps (US Pat. No. 5,991,739). In making this rejection the Office Action asserts that the combination of these two references teaches and/or suggests the claimed invention. The Office Action also asserts that it would be obvious to a person of ordinary skill in the art to combine these two references. Applicants request reconsideration of this rejection.

The Office Action admits that Takaya fails to disclose and/or suggest displaying the service request data (menu) on the information terminal and after an entry requesting a service (food order) based on the service request data (menu), sending the requested service (food order) contents to the selected shop. The Office Action cites Cupps as curing this deficiency in Takaya.

However, as discussed and agreed in the personal interview on June 22, 2004, it would not be obvious to one of ordinary skill in the art to combine Takaya and Cupps. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 5, and 7-9 under 35 U.S.C. § 103(a).

### **Conclusion**


Applicants remarks have overcome the rejection set forth in the Office Action dated February 11, 2004. Specifically, Applicants amendments to claims 5 and 7 overcome the rejection of these claims under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph. Applicants' remarks have overcome the rejection of claims 5, and 7-9 under 35 U.S.C. § 103(a). Accordingly, claims 5, and 7-9 are in condition for allowance. Therefore, Applicants respectfully request consideration and allowance of claims 5, and 7-9.

Applicants submit that the application is now in condition for allowance. If the Examiner believes that the application is not in condition for allowance, Applicants respectfully request that the Examiner contact the undersigned attorney by telephone, if it is believed that such contact will expedite the prosecution of the application.

In the event that this paper is not considered to be timely filed, Applicants respectfully petition for an appropriate extension of time. The Commissioner is authorized

to charge payment for any additional fees, which may be required with respect to this paper or credit any overpayment to Deposit Account No. 01-2300, referencing attorney docket number **107156-00051**.

Respectfully submitted,

  
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